

STATE OF OHIO

COUNTY OF MAHONING

YOUNGSTOWN MUNICIPAL
COURT
CRIMINAL DIVISION

SS:

AFFIDAVIT FOR SEARCH
WARRANT

Before Me, a Judge of the Youngstown Municipal Court, personally appeared the undersigned AFFIANT, Special Agent Ed Carlini of the Ohio Attorney General's Office, Bureau of Criminal Investigation, who after being duly sworn according to law states:

BACKGROUND AND EXPERIENCE

1. The Affiant, Ed Carlini, is a Special Agent for the Ohio Bureau of Criminal Investigation (BCI) and as of January 2014 has been assigned as the BCI case agent investigating public corruption in Mahoning County. Affiant is also assigned to the Crimes against Children Unit for Northern Ohio. The Affiant is designated by the Ohio Revised Code (ORC) that upon the request of any federal, state or local law enforcement agency, or common pleas court, to conduct investigations, make arrests, and seize property for violations of the Ohio Revised Code. In 2013, Mahoning County Prosecutor Paul Gains requested that BCI investigate public corruption in Mahoning County. Furthermore, this public corruption, which has occurred or is occurring, is also being investigated by an Ohio Organized Crime Commission Task Force formed, operating in Cuyahoga County, Ohio pursuant to R.C. Chapter 109, related R. C. chapters, and sections. Finally, Cuyahoga County Prosecutor Tim McGinty has appointed several Assistant Ohio Attorney General's and the Ohio Attorney General, Michael Dewine as Special Cuyahoga County Prosecutors to prosecute public corruption that has occurred or is occurring in Cuyahoga and Mahoning County.
2. The Affiant, being first duly sworn, deposes and states that his training and experience includes the following: He is a certified peace officer as recognized by the Ohio Peace Officer Training Council, with over 23 years of previous law enforcement experience

investigating criminal activity. His previous experience includes graduating with a Bachelor's Degree in Criminal Justice from Youngstown State University, serving as a police officer for two years with Youngstown Police Department and for four years with the Boardman Township Police Department. Special Agent Carlini has completed advanced investigative training with the Ohio Peace Officer Training Academy (OPOTA) and other accredited training agencies. He has conducted and/or participated in investigations into theft, money laundering, bribery, as well as felony crimes of violence, including but not limited to homicides and sexual assaults, with successful prosecution. He has executed search warrants for various crimes and arrested individuals for violations of Local, State and Federal statutes. The Affiant has received on the job training with the Ohio Attorney General, Bureau of Criminal Investigation since 2000, being a Special Agent in the Crime Scene Unit for 14 years and most recently the Crimes against Children Unit, beginning in 2013.

3. Affiant states the facts and circumstances stated here establish probable cause to support a search warrant for the contents of a computer information network involving these individuals and /or servers owned and or operated by the political subdivision of Mahoning County that there exist emails, to and from the following persons including archived emails:

Michael Sciortino
Mark Belinky
John McNally
John Reardon
Lisa Antonini
Carol Rimedio Righetti
Carol McFall

All of which have used or have the ability to use the Mahoning County Computer network to send and receive email with necessary attachments as well as to create documents or other electronic data. **And that on such server(s) there also exists documents, or other electronically stored data, on any such server which may be a part of the Mahoning County Computer network**, currently located at the Renaissance Learning Center / MYCAP Head Start building, 345 Oak Hill Avenue Youngstown, Mahoning County, OH 44502,

4. As it relates to computers and/or computer servers affiant states that:

A. A computer server or servers, server components, computer server peripherals, word processing equipment, computer files on the Server Computer's hard drive, opened or unopened files of communication or correspondence, information storage devices, including

but not limited to hard disk drives, and information such as emails, attachments to emails, documents, and other similar data exist within the Mahoning County Computer Network. A computer server is a device used in the operation of a network and contains thereon data created or received by users of the network. Affiant seeks to search/seize emails and data as described herein located on such server(s)

B. The contents of a computer or server and the use of the computer or any computer software and/or communications contained on the computer or server. All information and communication or correspondence within the above listed items, including but not limited to, machine readable data and all previously erased data on any server are sought to search/seize or mirror image.

C. In addition affiant seeks to search/seize any and all computer operating manuals and computer hardware, including but not limited to, central processing units, external and internal drives and external storage equipment or media, terminals or video display units, together with peripheral equipment such as keyboards, printers, modems, or acoustic couplers, automatic dialers, speed dialers, or signaling devices, electronic tone generating devices, any and all computer or data processing software, or data including, but not limited to hard disks, floppy disks, cassette tapes, video cassette tapes, magnetic tapes, integral RAM or ROM units, and any other permanent or transient storage devices, which related to sections above.

NOTE: For purposes of this Search Warrant Affidavit, unless otherwise specifically indicated, the term "**computer**" refers to the box that houses the central processing unit (CPU), along with any internal storage devices (such as internal hard drives) and internal communications devices (such as internal modems capable of sending and/or receiving electronic mail and/or fax cards) along with any other hardware stored or housed internally. Thus, "**computer**" refers to hardware, software, and data contained in the main unit, printers, external modems (attached by cable to the main unit), monitors, and other external attachments (referred to as peripherals). When the computer and all peripherals are referred to as one package, the term "**computer system**" is used. "**Information**" refers to all the information on and/or in a computer system including both software applications and data. The term "**computer hardware**" as used in this

Affidavit refers to all equipment that can collect and analyze, create, display, convert, store, conceal, and/or transmit electronic, magnetic, optical, or similar computer impulses or data. "**Hardware**" includes, but is not limited to, any data-processing devices (such as CPUs, processing units, memory typewriters, and self-contained laptop or notebook computers), internal and peripheral storage devices (such as fixed disks, external hard disks, floppy disk drives and/or diskettes, compact disks, tape drives and tape optical storage devices, transistor-like binary devices, and other memory storage devices). "**Computer-related documentation**" consists of written, recorded, printed, or electronically stored material that explains or illustrates how to configure or use computer hardware, software, or other related items. This Affidavit recognizes that some of the above-described property is data that will be contained on cassette tapes, videotapes, and in electronic and machine-readable media which is not readable by this Affiant in its present state. Authorization is requested by searching officers to seize, search, listen to, read, review, copy, operate, and/or maintain the above-described property and to convert it to human-readable form as necessary. Being advised that data is stored in computer may be lost if disconnected from an electrical power source, authorization is requested to make human-readable copies or recordings of this data at the search location in order to preserve and protect the information and to thereafter seize, search, read, listen to, copy, and/or maintain the described property.

1. **PRESERVATION OF PROPERTY** .This Affiant states that the seized data or mirrored image or images will remain in the care, custody and control of the Ohio Attorney General's Office, Bureau of Criminal Identification and Investigation unless and until otherwise authorized by this Court.
2. **ELECTRONIC MEDIA.** Based upon the training, education and experience of this Affiant, and that of other law enforcement officers associated with this investigation, this Affiant states the Government of Mahoning County does in fact possess electronic media including, but not limited to, computer(s), removable computer media, printer(s), phone system(s), website(s), and/or information stored therein, located at the location

described herein. This Affiant reasonably believes that said electronic media is or was utilized to further the interests of a criminal enterprise and may contain additional data, records, emails, documents and the like. As a result, this Affiant respectfully requests that any and all electronic media be seized and subsequently searched as an instrumentality and/or proceeds of said enterprise. Furthermore, this Affiant believes that any information contained therein, including but not limited to, any and all hard drives, removable media, discs, CDs, DVDs, e-mail (opened or unopened), or anything having to do with said computer(s), printer(s), fax machine(s), phone system(s), website(s), shredder(s) and/or information stored therein, be seized and subsequently searched.

3. REQUEST FOR MODIFICATION OF 3-DAY EXECUTION

DEADLINE. This Affiant states that the requested search of the electronic media to be performed by the agent(s) or any authorized employee of the Ohio Bureau of Criminal Identification and Investigation, identified above is expected to require more than three (3) days due to logistical and technical concerns. Hence, the "execution" of the requested warrant may require several weeks from beginning to end. If the term "execution" were deemed to occur at the completion of the analysis rather than the initiation of the analysis, then it would be pragmatically impossible for law enforcement officers to comply with the 3-day deadline and still properly conduct the search. Therefore, pursuant to Revised Code 2933.24(A), this Affiant requests this Court require said seizure and/or search be *initiated* within three (3) days, unless and until otherwise authorized by this Court.

- 4. Authorization is also requested by searching officers to seize, search, listen to, read, review, copy, operate, and/or maintain the above-described property and to convert it to human-readable form as necessary.** Being advised that data is stored in computer and telephone memory machines may be lost if disconnected from an electrical power source, authorization is requested to make human-readable copies or recordings of this data at the search location in order to preserve and protect the information and to thereafter seize, search, read, listen to, copy, and/or maintain the described property.

THE CRIMES IN RELATION HERETO ARE:

Tampering with Records under R.C. 2013.42, Bribery under R.C. 2921.02, Unlawful Compensation of a Public Employee under R.C. 2921.43, Perjury under R.C. 2921.11, and Engaging in Pattern of Corrupt Activity under R.C. 2923.32 to wit:

The facts upon which Affiant bases such beliefs are as follows:

CASE BACKGROUND AND CRIMINAL ACTIVITY DETAILS

1. Based upon the Affiant's training and experience in theft, bribery, and public corruption investigations, and other knowledge derived from other experienced officers/agents with whom the Affiant is associated, the Affiant has probable cause to believe that there will be found at this location evidence of the commission of the criminal offenses of **Tampering with Records under R. C. 2013.42, Bribery under R. C. 2921.02, Unlawful Compensation of a Public Employee under R. C. 2921.43, Perjury under R. C. 2921.11, and Engaging in Pattern of Corrupt Activity under R. C. 2923.32** to wit:
2. Mahoning County owns or operates a data processing center located on the 4th floor of the Mahoning County Administration Building, addressed at 21 W Boardman St. Fourth Floor Youngstown, OH 44503. The data processing center is maintained and kept by the Mahoning County Data Processing or Information Technology Department. Data Processing is the county's Information Technologies Department. The Mahoning County I.T. department is responsible for the research, implementation, administration & maintenance of the county computer systems and technology direction. Areas of responsibility include support of all software and computer hardware, including support of database, internet and web applications, hard-wired and wireless Wide Area Network (WAN) and Local Area Network (LAN) design, support and administration, telephony systems and phones administration. The IT Department provides:
 - Support and maintain OS software for servers (48) and workstations (1025), including application set.
 - Support & maintain SQL database systems for Courts, Real Estate, GIS, Financials and HR/Payroll.
 - Provide internet services, including e-mail, secure internet browsing, & Intranet services.
3. The digital media found are expected to be seized and searched or a mirror imaged made thereof and searched with the assistance of Special Agents and/or Computer Forensic Specialists (CFS) from the Ohio Bureau of Criminal Investigation's Computer Crimes Unit. If possible, evidence may be previewed on scene, as to not take unnecessary items from the offices of Mahoning County Government.
4. Affiant avers that in September 2005, Michael Sciortino became the Mahoning County Auditor. He is still the Mahoning County Auditor. His chief deputy is Carol McFall.

5. Affiant avers that in January 2005, John McNally became a Mahoning County Commissioner.
6. Affiant avers that from the late 1990s to 2007, John Reardon was the Mahoning County Treasurer. His chief Deputy from 2006 to the time of his resignation was Lisa Antonini
7. Affiant avers that from March 2007 until 2011, Lisa Antonini was the Mahoning County Treasurer.
8. Affiant avers that in 2007 Mark Belinky became the Mahoning County Probate Court Judge. He was elected to that position in 2008 and resigned in the winter of 2014 as part of a plea arrangement with the Ohio Attorney General's office.
9. Affiant avers that in 2011 Carol Righetti became a Mahoning County Commissioner defeating David Ludt in a primary election and winning the general election in November
10. In August of 2006 Ohio Valley Mall, a company affiliated with the Cafaro Company and having a principle therewith named Antony Cafaro Sr. filed a taxpayer's lawsuit against Mahoning County, some of its elected officials and employee. That lawsuit was resolved by a verdict in favor of the defendants and against Ohio Valley Mall in July of 2007. Discovery which was conducted during this law suit, included depositions of elected officials and Anthony Cafaro.
11. In September of 2007 Mahoning County Prosecutor Paul Gains asked the Ohio Ethics Commission to investigation the conduct of John McNally, John Reardon, Lisa Antonini and Michael Sciortino as it related to the Cafaro Company and Anthony Cafaro from 2006-2007. Gains wrote: "During the course of litigation, it was discovered that certain office holders engaged in conduct which may have violated Ohio Ethics laws. Particularly, it was discovered that County Commissioner John McNally faxed information to Plaintiff's counsel that was deemed confidential by the Board and to which he admitted being instructed by my office not to release. It was also discovered that Commissioner McNally, County Auditor Michael Sciortino and former County Treasurer John Reardon accepted legal services allegedly paid for by Ohio Valley Mall that do not appear on their respective ethics reports. Each of these events is memorialized by sworn testimony of the respective office holders and the representatives of Ohio Valley Mall, namely John J. Cafaro and/or his brother, Anthony Cafaro, Sr. Although the litigation was resolved in favor the county and is now closed, I believe it is my duty as prosecutor to advise your office of this information in order that you may make an independent determination if any of these officials violated Ohio's ethics laws. In order to assist your office, I am providing the following summary of the events, excerpts from the testimony, and copies of relevant documents."

In November of 2007, after reading the documents provided by Prosecutor Gains, the Ohio Ethics Commission opened an investigation into allegations Prosecutor Gains had made regarding violations of Ohio's Ethics laws.

12. In late 2007 into early 2008, The Mahoning County Sheriff assigned Deputy Gary Snyder to investigate the same allegations that Prosecutor Gains had asked the Ohio Ethics Commission to investigate.
13. In late 2007 into early 2008 Paul Nick of the Ohio Ethics Commission and Gary Snyder were investigating Michael Sciortino, John McNally, John Reardon and Lisa Antonini, and were given access to a Mahoning County Grand Jury to conduct such investigation.
14. Affiant avers that in March of 2008, a Mahoning County Grand Jury began to issue grand jury subpoenas for records to various persons and entities located in Mahoning and Cuyahoga County. These grand jury subpoenas sought evidence of the relationship between Anthony Cafaro, Ohio Valley Mall, and/or the Cafaro Company and John McNally, John Reardon, Lisa Antonini and Michael Sciortino. The grand jury issued subpoenas to and received from the Cafaro Company, Ohio Valley Mall, Antony Cafaro John "JJ" Cafaro, Law Firms who worked for the Cafaro Company, John McNally and Michael Sciortino, documents, emails and correspondence by and between the Cafaro Company and its employees, agents, officers and staff members, and Michael Sciortino and John McNally. In Cuyahoga County Grand Jury, subpoenas were issued to the law firm of Ulmer and Berne, The Taft Law Firm, and the Law Firm of Squires Sanders and Dempsey. These subpoenas sought evidence to establish that the crimes of Perjury, Bribery and/or other crimes were committed between 2006 and the end of the taxpayer lawsuit mentioned herein, July of 2007.
15. Affiant states that in response to those subpoenas, the grand jury received emails between Michael Sciortino and individuals who worked for, or who still work for, the Cafaro Company, including chief legal counsel James Dobran, Dobran's secretary Connie Koza, and others. The Grand Jury also received emails, between Sciortino or his agent and the Law Firm of Ulmer and Berne and its' associates or partners. Emails were received and sent by Michael Sciortino over and through the Mahoning County email system described above and operated and maintained by the Mahoning County Data Processing (IT) Department. Additional emails were sent and received by Sciortino to these people over and through Sciortino's personal email system. The investigation has revealed that the Grand Jury did not receive all emails between Sciortino and the Cafaro Company and/or these people were received in response to a grand jury subpoena.
16. Affiant states that the grand jury also received emails between Mahoning County Commissioner John McNally and individuals who were agents for the Cafaro Company, or its attorneys or officers including emails between McNally or his private secretary and

Ulmer and Berne. These emails were sent by Commissioner McNally over his private email system and not through Mahoning County's email system. The investigation has revealed that the Grand Jury did not receive all emails between McNally, Ulmer and Berne, the Cafaro Company.

17. Affiant further states that at no time did Ulmer and Berne, or Squire Sanders and Dempsey represent Michael Sciortino, John McNally, John Reardon or Lisa Antonini in any court proceeding in any court in Ohio, the Federal System or elsewhere. . Rather both law firms were representing the Cafaro Company or Ohio Valley Mall or affiliated companies and actually sued the Commissioner McNally in his official capacity as County Commissioner and Michael Sciortino as County Auditor. The Taft law firm was hired by McNally and Sciortino to represent McNally, Sciortino and John Reardon in a bankruptcy proceeding in July of 2006.
18. Affiant avers that in May 2014, a Cuyahoga County Grand Jury indicted John McNally and Michael Sciortino for various counts of Bribery, Conspiracy, and Unlawful Compensation of Public official, Engaging in Pattern of Corrupt Activity, Perjury, and other offenses. That case remains pending in Cuyahoga County in front of the Honorable Judge Janet Burnside, CR-585428. The basis of some perjury counts are that McNally and/or Sciortino lied under oath about communicating with Cafaro, The Cafaro Company its agents or attorneys by email, or fax and/or lied about the work that Cafaro attorneys did for them, work which was provided to them via email.
19. Specifically as it relates to this affidavit and this search warrant, John McNally and Michael Sciortino were indicted for lying under oath in civil depositions about communications they had with Anthony Cafaro Sr., agents of the Cafaro Company, and/or associates with the Cafaro Company over certain matters relating to the decision to move the Mahoning County Jobs and Family Services agency from the McGuffey Plaza – located at the intersection of Garland Ave and McGuffey Rd in Youngstown – to the former South Side Hospital located on Oakhill Drive in Youngstown. McNally and Sciortino denied under oath having certain communications with Cafaro Company officers, agents, employees, or associates when in fact emails, faxes, and other documents or data subpoenaed by a Mahoning County Grand Jury from 2008-2010 establish that such communication occurred.
20. Specifically as it relates to this affidavit John McNally and Michael Sciortino were indicted for Bribery, Unlawful Compensation of a Public Official and Tampering with Records for receiving legal advice paid for by the Cafaro Company, a benefit they were required to report on their Ohio Ethic's Commission disclosure forms from years 2006-2007 but failed to so disclose. Evidence of that benefit is contained in emails, documents and other writings.

21. Affiant avers that emails obtained by the Mahoning County Grand Jury shows that John McNally and Michael Sciortino were concerned about receiving the benefit of legal advice paid for by the Cafaro Company, but that they accepted the benefit notwithstanding their concerns.
22. Affiant states that evidence obtained by a Cuyahoga County Grand Jury shows that Anthony Cafaro and his brother John "JJ" Cafaro authorized attorneys for the Cafaro Company, namely Ulmer and Berne and in-house counsel James Dobran to do work for McNally, Sciortino, and John Reardon, a fact that McNally, Sciortino and Anthony Cafaro lied under oath about when they were deposed during depositions.
23. Affiant states that the Cafaro's agreed to pay for the attorney fees as described above for McNally, Reardon and Sciortino, thereby providing a benefit and or compensation to McNally, Sciortino, and Reardon which the three were required to report on their Ethics Disclosure forms for years 2006-2007 and which they failed to report.
24. Affiant avers that emails, faxes, and other writing obtained by the Mahoning County Grand Jury provides from Ulmer and Berne, Squire Sanders and Dempsey, the Cafaro Company and or Ohio Valley Mall supplies evidence to support the charges of Bribery, Unlawful Compensation of A Public Official and Tampering with Records. However email threads are incomplete as they relate to John McNally and Michael Sciortino.
25. Affiant states that emails stored on a server of a political subdivision under Ohio law are generally public records. Specifically, R.C. 149.011(G) defines "records" to include "an electronic record as defined in section 1306.01 of the Revised Code. Emails are electronic records under R.C. 1306.01(G) because they are records "created, generated, sent, communicated, received, or stored by electronic means." Affiant further states that such records maintained on the Mahoning County email system described above and operated and maintained by the Mahoning County Data Processing (IT) Department falls under the jurisdiction of any public office of the state or its political subdivisions. Finally, Affiant states that such emails frequently serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.
26. Affiant avers that under Ohio law, Bribery, Tampering with Records, and Perjury are predicate offenses of Engaging in Pattern of Corrupt Activity.
27. Affiant states that in 2010, a Mahoning County Grand Jury found that Michael Sciortino and John McNally engaged in a pattern of corrupt activity – while employed by or associated with a criminal enterprise – by committing Bribery and Perjury. In 2014, a Cuyahoga County Grand Jury likewise found that Michael Sciortino and John McNally engaged in a pattern of corrupt activity – while employed by or associated with a criminal enterprise – by committing Bribery and Perjury. A basis for the charges McNally and

Sciortino were indicted for in 2010 was the evidence in the form of certain written communications from McNally, and Sciortino with the Cafaro Company, Ulmer and Berne, Squire Sanders and Dempsey, Ohio Valley Mall, and/ or Anthony Cafaro.

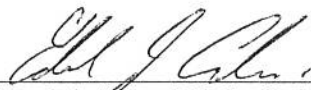
28. Affiant avers that the Mahoning County Data Base Server contains emails to and from Michael Sciortino and John McNally and other members of a criminal enterprise related to the commission of predicate criminal acts in the course of their official duties and that based upon his investigation the emails, attachments thereto and other data should exist on the items affiant seeks a warrant to search.
29. Affiant further avers that in January of 2014 affiant began investigating now former Probate Court Judge Mark Belinky.
30. Affiant avers that Mark Belinky has plead guilty to and been sentenced for Tampering with Records relating to filing false campaign finance reports earlier this year.
31. Affiant avers that separate and apart from Mark Belinky's Tampering with Records investigation, plea and sentence, BCI is investigating Mark Belinky for crimes he committed from within the Probate Court, and in fact the Auditor for the State of Ohio is currently conducting a Special Audit of the Mahoning County Probate Court to determine the breadth of Mark Belinky's thievery.
32. Affiant avers that Mark Belinky has admitted to stealing money from people that he was a Guardian over and further has admitted to altering Probate Court documents to further such theft and that has further admitted to using a Mahoning County Probate Computer, to create false Probate Court records.
33. Affiant avers that Mark Belinky also used county employees, Mahoning County Property, and the Mahoning County Computer Network for political purposes.
34. Affiant avers that based upon above mentioned facts and the affiant's knowledge, skills as stated herein, and experience with this and other investigations, there is probable cause to believe that emails, data, attachments thereto between Mark Belinky and others who may have been acting with him in committing the acts described herein, exist on the Mahoning County Government Computer Network on the server(s) that form such a network.
35. Affiant avers that Carol Righetti is currently a Mahoning County Commissioner.
36. Affiant avers that Bruce Zoldan of the BJ Alan / Phantom Fireworks Company has testified that on two occasions Anthony Cafaro offered to reimburse Zoldan for political donations.

37. Affiant avers that Zoldan has testified before a Grand Jury that Anthony Cafaro offered to reimburse Zoldan for a donation Zoldan made to Carol Righetti, and for a donation Anthony Cafaro asked Bruce Zoldan to make to Marty Yavorcik, when Marty Yavorcik was running for Mahoning County Prosecutor in 2008.
38. Affiant further avers that a Confidential Reliable Informant who has been reliable to both Federal and State Law Enforcement agencies for a number of years, has provide information to affiant and or other law enforcement agents that Anthony Cafaro did use a Straw Donor to donate money to Carol Righetti when she ran for Mahoning County Commissioner against David Ludt, a political enemy of Anthony Cafaro, and that Carol Righetti has admitted such to persons in the Mahoning County Government. When questioned in the grand jury about Righetti's comments John "JJ" Cafaro stated that Anthony Cafaro must have told Righetti that he did reimburse Zoldan for a donation.
39. Affiant has seen emails from Anthony Cafaro to Mahoning County officials, such emails were received from the Cafaro Company or Ohio Valley Mall pursuant to a Grand Jury Subpoena.
40. Affiant avers that based upon above mentioned facts and the affiant's knowledge, skills as stated herein, and experience with this and other investigations, there is probable cause to believe that emails, data, attachments thereto between John McNally, John Reardon, Lisa Antonini, Carol Righetti, and the Cafaro Company its agents, its officers, Antony Cafaro, Ohio Valley Mall, its agents and officers exist on the Mahoning County Government Computer Network on the server(s) that form such a network.
41. Affiant states that Carol McFall is and has been since at least July of 2006 the Chief Deputy Auditor for Michael Sciortino, the Mahoning County Auditor.
42. Affiant states that the same Confidential Reliable Informant mentioned herein has stated that McFall and Righetti have communicated about Anthony Cafaro reimbursing a person or persons for donating to the campaign committee of Carol Righetti.
43. Affiant further states that during the deposition of Michael Sciortino and John McNally both men lied under oath about the fact they had met with Calfee Halter law firm Attorney Gigi Benjamin and that they had discussed Mahoning County's internal borrowing program with her.
44. The issue of Mahoning County's internal borrowing program was relevant in the taxpayer's lawsuit brought by Ohio Valley Mall against Mahoning County.
45. On September 11, 2006 Michael Sciortino sent an email on the Mahoning County Computer network to John Reardon, Carol McFall (Kaufman), John McNally and a

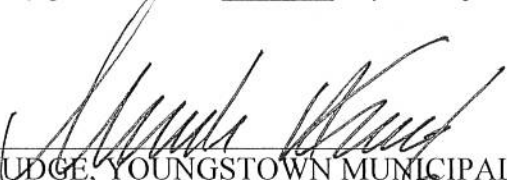
Debra Flora outlining the discussion that the group had with Gigi Benjamin. This email was not obtained from Michael Sciortino. The Mahoning County Grand Jury never received the email mentioned in this paragraph or any response to it from any of its recipients.

46. Michael Sciortino and John McNally have been indicted for perjury for lying about the existence of the meeting with Gigi Benjamin.
47. Affiant avers that based upon above mentioned facts and the affiant's knowledge, skills as stated herein, and experience with this and other investigations, there is probable cause to believe that emails, data, attachments thereto between Carol McFall (Kaufmann) exist on the Mahoning County Computer network between her and people involved in a criminal enterprise.
48. Affiant avers that based upon his training and experience that records are stored on servers and databases for a long period.
49. Affiant further avers that the IT Department head, Mr. Jake Williams is a personal friend of suspect Michael Sciortino playing in a band with Sciortino and therefore a subpoena to the Mahoning County IT department may not produce full and/or accurate records.

FURTHER AFFIANT SAYETH NAUGHT.


Special Agent Ed Carlini
Ohio Bureau of Criminal Investigation

Sworn to before me and subscribed in my presence this 22 day of September 2014.


JUDGE, YOUNGSTOWN MUNICIPAL COURT
Youngstown, Ohio